

It was alleged in the libel that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by the act of Congress of March 4, 1923.

On February 16, 1934, the Land O'Lakes Creameries, Inc., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$100, conditioned that it be reworked so that it contain at least 80 percent of milk fat.

M. L. WILSON, *Acting Secretary of Agriculture.*

22259. Adulteration of canned shrimp. U. S. v. 100 Cases and 300 Cases of Canned Shrimp. Decrees of condemnation and forfeiture. Portion of product released under bond. Remainder destroyed. (F. & D. nos. 31594, 31595. Sample nos. 37387-A, 37388-A.)

This case involved a shipment of canned shrimp which was found to be in part decomposed.

On November 16, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court two libels praying seizure and condemnation of 400 cases of canned shrimp at Tacoma, Wash., alleging that the article had been shipped in interstate commerce, on or about September 19, 1933, by the Braun Canning Co., of Biloxi, Miss., from New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled: "Ready Lunch Brand Shrimp * * * Packed by Gulf Foods, Inc., Biloxi, Miss." The remainder was labeled in part: "Bonnie Best Shrimp."

It was alleged in the libels that the article was adulterated in that it consisted in whole or in part of a decomposed animal substance.

On April 6, 1934, the Kelley-Clarke Co., having appeared as claimant for 300 cases of the product covered by one libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that portions of the product covered by the said libel be released under bond in the sum of \$1,000, conditioned that they should not be disposed of contrary to the Federal Food and Drugs Act, and that the remainder be destroyed. On April 23, 1934, the remaining libel having come for hearing, the court, after consideration of the evidence, ordered the product condemned, forfeited, and destroyed. Costs of both proceedings were assessed against the Kelley-Clarke Co.

M. L. WILSON, *Acting Secretary of Agriculture.*

22260. Adulteration of evaporated apples. U. S. v. James R. Bever (The J. R. Bever Co.). Plea of guilty. Fine, \$10. (F. & D. no. 31391. Sample no. 6516-A.)

This case involved an interstate shipment of evaporated apples which were found to be in part insect-infested, decayed, moldy, or dirty.

On January 30, 1934, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against James R. Bever, trading as the J. R. Bever Co., Gentry, Ark., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about November 17, 1932, from the State of Arkansas into the State of Missouri, of a quantity of evaporated apples which were adulterated. The article was labeled in part: "Choice Evaporated Apples Packed by The J. R. Bever Co., Gentry, Arkansas."

It was alleged in the information that the article was adulterated in that it consisted in part of a filthy and decomposed vegetable substance.

On February 20, 1934, the defendant entered a plea of guilty, and the court imposed a fine of \$10.

M. L. WILSON, *Acting Secretary of Agriculture.*

22261. Misbranding of canned grapefruit juice. U. S. v. 100 Cases of Canned Grapefruit Juice. Decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 26928. I.S. no. 35915. S. no. 5116.)

This case involved a product labeled to convey the impression that it consisted of pure grapefruit juice, but which was found to contain added sugar. Sample cans taken from the shipment also were found short of the declared volume.